

**REMARKS / ARGUMENTS**

Reconsideration and withdrawal of the Examiner's rejection of the above-identified application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-11 are in the application. Claims 1 and 2 have been amended. No new matter has been added.

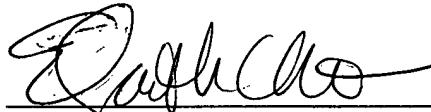
The Examiner rejected claims 1 and 2 under 35 U.S.C. 112. Applicant has amended claims 1 and 2 to conform to the Examiner's suggestions. It is now believed that claims 1-11 are in compliance with 35 U.S.C. 112.

The Examiner rejected claims 1 and 3-11 under 35 U.S.C. 103 as being unpatentable over *Miyazawa*. Applicant respectfully traverses. The Examiner bases the rejection on the description in col. 7, line 41 and col. 8, line 6, as well as FIGS. 1 and 3 to assume that this reference teaches casting rolls of different length and diameter. However, col 8, lines 6-13 shows that the apparatus of Example 2, shown in FIGS. 3-5 has rolls 30A and 30B, which are the same construction as rolls 10A and 10B of Example 1, except for the diameter to length ratio, the number of ferromagnetic zones, and the combination of ferromagnetic material zones and paramagnetic material zones. The list of differences

between the rolls of example 1 and example 2 does not include the diameter of the rolls, so it can only be assumed that the diameter of the rolls for example 1 and 2 is the same. The length of the rolls shown in FIGS. 1 and 3 are different. According to col. 7, line 36, the length of rolls 10A and 10B shown in FIG. 1 is 300mm and according to col 8, lines 21-24, the length of rolls 30A and 30B is 450mm (the addition of the width of items 34, 36, 38 and 40). However, there is no indication from *Miyazawa* that the diameter of the rolls in FIG. 1 and 3 are different. One cannot assume that the rolls in FIG. 1 and 3 have different diameters if the specification is silent on that subject. The different diameter to length ratio mentioned in the specification can be a consequence of the different lengths of the rolls. The description teaches that the length of the rolls in FIG. 1 are shorter than the length of the rolls in FIG. 3. However, the drawings show longer rolls in FIG. 3 than in FIG. 1. Therefore, the drawings are not in scale and cannot be used to judge the dimensions of the rolls. Therefore, *Miyazawa* does not teach rolls of different diameters used in the same thin strip casting device. Accordingly, Applicant submits that claims 1-11 are patentable over *Miyazawa*.

The Examiner rejected claims 1-11 under the judicially created doctrine of double patenting over U.S. Patent No. 6,612,362. Applicant submits herewith a Terminal Disclaimer to overcome this rejection. In view of the foregoing, Applicant submits that claims 1-11 are patentable over the cited references, and early allowance of the claims is respectfully requested.

Respectfully submitted,  
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Enclosure: Terminal Disclaimer and check for \$55.00

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 6, 2004.



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